Case 21-10121-SLM Doc 280 Filed 03/11/22 Entered 03/11/22 09:32:46 Desc Main

Document Page 1 of 3



Dean G. Sutton, Esq. 18 Green Road
Post Office Box 187
Sparta, New Jersey 07871
(973) 729-8121
dean@deansuttonlaw.com
Attorney for the Debtor

In Re:

American Limousine LLC

Order Filed on March 11, 2022 by Clerk, U.S. Bankruptcy Court District of New Jersey

Case No.: 21-10121

Chapter: 11 (Subchapter V Small Business)

Hearing Date:

Judge: Stacey L. Meisel

## STIPULATION OF SETTLEMENT AND ORDER APPROVING RESOLUTION OF AMOUNT OF CLAIM

The relief set forth on the following pages, numbered two (2) through three (3) is hereby **ORDERED**.

**DATED: March 11, 2022** 

Honorable Stacey L. Meisel United States Bankruptcy Judge Page 2 of 3

Debtor: American Limousine LLC

Case No. 21-10121

Caption of Order: Stipulation of Settlement and Order Approving

Resolution of Amount of Claim

WHEREAS, the Debtor entered into an employment agreement with Paul Pielka on September 24, 2019; and

WHEREAS, Paul Pielka was employed by the Debtor as Controller; and

WHEREAS, Paul Pielka's services were terminated pre-petition; and

WHEREAS, the Debtor filed a Chapter 11, Subchapter V bankruptcy case on January 8, 2021; and

WHEREAS, Paul Pielka filed a Proof of Claim on February 22, 2021 in the amount of \$164,753.48; and

WHEREAS, the Debtor disputes the amount of the claim; and

WHEREAS, the Debtor and Paul Pielka have reached an agreement concerning the amount of the claim;

NOW THEREFORE INTENDING TO BE LEGALLY BOUND, THE PARTIES HEREBY AGREE AND IT IS HEREBY ORDERED AS FOLLOWS:

- 1. Paul Pielka shall have an allowed, general unsecured claim in the amount of \$92,500.00.
- 2. The Debtor shall pay the claim in accordance with the confirmed plan along with all other allowed unsecured claims.
- 3. This Stipulation constitutes the entire agreement between the parties.
- 4. This Stipulation was entered into voluntarily, without duress, with the consultation and advice of legal counsel, and with full understanding of its terms.

Page 3 of 3

Debtor: American Limousine LLC

Case No. 21-10121

Caption of Order: Stipulation of Settlement and Order Approving

Resolution of Amount of Claim

- 5. This Stipulation may be executed in separate counterparts, each of which will constitute an original, and all of which will constitute a single agreement. Each originally signed counterpart may be sent by facsimile or e-mail in PDF format.
- 6. The undersigned expressly represent and warrant that they have the authority of their respective clients to execute this Stipulation and bind them to the terms hereof.

Varcadapane & Pinnisi, PC Counsel to Paul Pielka Dean G. Sutton, Esq. Counsel to Debtor, American Limousine LLC

By: Jeffrey W. Varcadapane, Esq.

By:

Dean G. Sutton, Esq.

Dated: March 1, 2022

Dated: 3//

2022